

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NovaStar Mortgage, Inc.

Plaintiff,

vs.

Christine Andrews, et al.

Defendants.

Case No. 1:06-cv-00318


Judge Honorable Christopher A.
Boyko

ORDER VACATING SALE,
VACATING JUDGMENT, AND
DISMISSING CASE

UNITED STATES DISTRICT JUDGE HONORABLE CHRISTOPHER A. BOYKO

This matter is before the Court on the motion of Plaintiff for an entry vacating the sale held June 4, 2007, the judgment and decree of foreclosure entered in this case under Rule 60(b)(5) and for an order dismissing this case under Rule 41(a)(2) of the Federal Rules of Procedure. The Court hereby grants Plaintiff's motion. The judgment and decree of foreclosure entered in this case is hereby vacated and this action is hereby dismissed without prejudice at Plaintiff's costs. The sale held June 4, 2007 is hereby vacated. The Clerk is hereby ordered to distribute \$500.00 to James H. Hewitt, the assigned master commissioner, and \$90.00 to each of the selected appraisers pursuant to further order of the Court, from Plaintiff's deposit and to distribute the remaining amount on deposit, if any, to Plaintiff.

IT IS SO ORDERED.



JUDGE HONORABLE CHRISTOPHER A.
BOYKO

United States District Court Judge

FILED

JUN 12 2007

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND